

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

2012 APR 30 AM 11:34
FILED
CLERK OF DISTRICT COURT

Stacia Hill,

*

Plaintiff,

*

-vs-

* Case No: _____

12 C 0313 SLC

Seventh Avenue,

*

Defendant.

*

COMPLAINT

I. JURISDICTION

(1) Jurisdiction of this court is predicated under 28 U.S.C. 1331. This court has jurisdiction on Plaintiff's supplemental claims pursuant to 28 U.S.C 1367(a)

II. PARTIES

(2) Plaintiff, Stacia Hill, is a natural person currently residing in the State of Iowa, County of Johnson. Plaintiff's address is 720 West 17th Street, Davenport, Iowa 52804.

(3) Defendant Seventh Avenue is Plaintiff's purported creditor and does business in the State of Iowa. Defendant's corporate address is 1112 7th Avenue , Monroe, Wisconsin 53566

III. VENUE

(4) Venue is proper in the Western District of Wisconsin as the Defendant's does business there. Further, the acts and transaction giving rise to this complaint occurred in the Western District of Wisconsin.

IV. STATEMENT OF CLAIM

(5) Beginning in September 2011 Plaintiff notices error in which his accounts were being reported and the timeliness of Plaintiff's payments to the Credit Bureaus.

(6) Beginning in September 2011 Plaintiff's initiated several disputes regarding his accounts by utilizing the dispute resolution services offered by Experian challenging the manner in which his accounts were being reported.

(7) Despite being aware of Plaintiff's bona fide disputes as to the accuracy of the accounts being reported, Defendant continued to report inaccuracies regarding Plaintiff's account.

(8) Despite having been repeatedly notified of Plaintiff's bona fide dispute, Defendants refused to report to Experian that Plaintiff disputed said accounts in violation of U.S.C. 1681s-2(b).

VIOLATIONS OF FAIR CREDIT REPORTING ACT

(9) Defendant's actions as described herein constitute violations of 15 U.S.C 1681s-2(b) as they received notice of dispute from a Credit Reporting Agency (Experian) and failed to conduct an adequate and truthful investigation.

(10) After receiving the dispute and reporting its alleged results, Defendant failed to report the fact that said debt was disputed in violation of 15 U.S.C. 1681s-2(b) as they willfully and with knowledge thereof reported information it knew or should have known to be false in connection with Plaintiff's accounts.

(11) Despite receiving numerous notices and disputes from the Plaintiff regarding the inaccuracies contained within the credit report, Defendant prepared and published to third parties, including potential lenders, multiple inaccurate consumer reports about the Plaintiff which contained false information.

(12) Defendant's actions caused Plaintiff to suffer embarrassment, mental anxiety, emotional suffering, worry, humiliation, and mental distress.

LIBEL AND DEFAMATION

(13) Defendant's published false information about Plaintiff's accounts, the false fact that Plaintiff's credit report was accessed, which was the result intended by the defendant.

(14) This information was view repeatedly, each and every time the plaintiff's credit report was accessed, which was the result intended by the Defendant.

(15) The publications were done maliciously, without privilege, and with intent to injure the Plaintiff.

(16) As a consequence of Defendant's Actions, Plaintiff has suffered distress, Loss of credit, and been chilled from seeking any additional credit and has suffered corresponding economic damages.

PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully request that Judgment be entered against the Defendant for the following:

- Actual damages.
- Statutory damages.
- Cost and reasonable fees.
- Punitive damages.
- For such other relief as the court may deem just and proper.

EXEXECUTED UNDER PENALTY OF PERJURY

Stacia Hill

Stacia Hill
720 West 17th Street

Davenport, Iowa 52804

DEMAND FOR JURY TRIAL

Please take note that Plaintiff demands trial by jury in this action.

Dated this 26th day of April, 2011.

Stacia Hill